

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MOTORS INSURANCE CORPORATION)	Civil No.04-00724 HG/BMK
and BIG ISLAND TOYOTA,)	
)	
Plaintiffs,)	DECLARATION OF GREG NISHIOKA
)	
vs.)	
)	
YOUNG BROTHERS, LIMITED;)	
HAWAIIAN ELECTRIC COMPANY,)	
INC.; AMERICAN PACIFIC)	
TRANSPORT CO., LTD.; PIRELLI)	
CABLE NORTH AMERICA, INC.,)	
)	
Defendants.)	
)	

DECLARATION OF GREG NISHIOKA

COMES NOW GREG NISHIOKA and under penalty of perjury states that the following is true and based on personal knowledge:

1. Declarant is an attorney licensed to practice law before all Courts in the State of Hawaii and as an attorney for Plaintiffs familiar with the facts herein and authorized to make this Declaration.

2. That attached hereto as Exhibit 1 is a true and correct copy of the Complaint filed in Motors Ins. Corp. etal. v. Young Brothers, Limited, Civil No. 1RC04-1-7012 in the District Court of the First Circuit, Honolulu Division, State of Hawaii on 12/1/04.

3. That attached hereto as Exhibit 2 is a true and correct copy of the First Amended Complaint filed in Motors Ins.

Corp. etal. v. Young Brothers, Limited etal, Civil No.04-00724
HG/BMK in the United States District Court for the District of
Hawaii on 10/19/05.

4. That attached hereto as Exhibit 3 is the Entry of
Default by Clerk as to Defendant APT filed herein on 9/14/06;

5. That attached hereto as Exhibit 4 is the Entry of
Default by Clerk as to Defendant Pirelli filed herein on 12/7/06.

6. Defendants APT and Pirelli have not appeared nor
otherwise moved to vacate entry of default against them.

7. On 7/17/06, the amount of Plaintiffs' damages
became certain, thus enabling Plaintiffs' to now move for default
judgment against APT and Pirelli. On 7/17/06 Plaintiffs and
HECO agreed to settle Plaintiffs' claims against HECO for the
monetary amount of \$4,500.00. Plaintiffs have incurred costs in
this matter in the amount of \$579.68.

FURTHER DECLARANT SAITH NAUGHT.

Dated: Honolulu, Hawaii, November 29, 2007.



GREG NISHIOKA